

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

2005 MAR -9 A 11:27

ANTHONY BAYAD ,

Plaintiff ,

JOHN CHAMBERS, PATRICIA  
RUSSO, ANTHONY  
SAVASTANO and CARL  
WIESE,  
Defendants ,

CIVIL ACTION

CASE NO. 04-cv-10468-GAO

**PLAINTIFF DIRECT EVIDENCE ACCORDING TO FEDERAL RULE OF EVIDENCE  
EXHIBIT [18] CISCO-NO-HIRE-LIST & RACIAL JOKE AIRPORT  
ANNOUNCEMENT EXHIBIT [23] EXHIBIT [1] OF THE 911 TAPES OF THE POLICE**

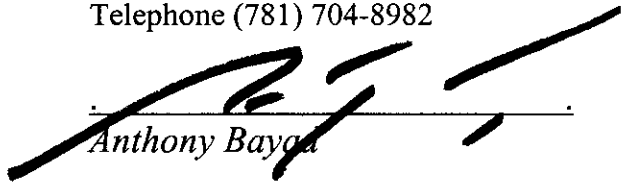
Plaintiff Bayad' direct evidence ( Cisco-No-Hire-List ) is evidence of discrimination animus introduced herein and with the accordance with *Fed. R. Evid.* 803(6), within records of regularly conducted activity of Defendants owners of Cisco; And this Court generally have admitted computer Records upon showing that the Records ( Cisco-No-Hire-List Defendants' Policy) fall within the Business Records Exception. *United States v. Moore*, 923 F.2d 910, 914 (1st Cir.). In essence with the accordance of the *Federal Rule of Civil Procedures Rule 16, Rule 26, Rule 34* , and *Rules of practices and Procedure of the Judicial Conference of the United States* ( August 2004). As proposed in particular, Rule 34 (a) will be amended to include " electronically stored information. See *Rowe Entm't, Inc. v. William Morris Agency, Inc.*, 205 F.R.D. 421, 421, 428 (S.D.Y. 2002). Plaintiff provided to Defendants the Cisco-No-Hire List as Electronic file and as hard copies, also accordingly to *Fed. R. Evid.* 1001 (3), defined of an accurate printout of computer data [i]f data as herein is stored in a computer or

similar device ( CD, Floppy Drive, Hard Drive), any printout or other output readable by sight, shown to reflect the data accurately , is an “ original” satisfy the best “Rule”. Doe v. United States , 805 F. Supp. 1533, 1517 (D. Hawaii. 1992); See also Proposed Federal Rule of Evidence 1001 (3) (1972).

**CERTIFICATE OF SERVICE**

IT IS HEREBY CERTIFIED that a true and correct copy of MOTION GRANTING PLAINTIFF ALL RELIEF OF DAMAGES SOUGHT AGAINST CHAMBERS ET,AL. was furnished via U.S. mail to : Bruce E. Falby, BBO #544143, PIPER RUDNICK GRAY CARRY LLP, One International Place, Boston MA 02110, this 9 day of March 2005

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Anthony Bayad